

CHRISTOPHER J. CHRISTIE
United States Attorney
BY: PETER W. GAETA and
RONNELL L. WILSON
Assistant United States Attorneys
Martin Luther King Federal Building and Courthouse
970 Broad Street, 7th Floor
Newark, New Jersey 08101
(973) 645-2700

RECEIVED

APR 11 2008

AT 6:00 PM
WILLIAM T. WALSH
CLERK

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

-----X
UNITED STATES OF AMERICA,

Plaintiff,

v.

JONATHAN CHU
a/k/a "Chien-Ho-Chu,"
MAGGIE CHEN,
a/k/a "Yun Ying Chen,"

Defendants.
-----X

UNITED STATES OF AMERICA,

Plaintiff,

v.

**\$1,324.08 CONTAINED IN ACCOUNT
NUMBER 9419500494 HELD IN THE NAME
OF OR FOR THE BENEFIT OF ASPECT
COMPUTER CORP. LOCATED AT BANK OF
AMERICA (FORMERLY FLEET BANK);**

**\$844,077.41 CONTAINED IN ACCOUNT
NUMBER 967701376 HELD IN THE NAME
OF OR BENEFIT OF CHANNEL MICRO
DISTRIBUTION, LOCATED AT BANK OF
AMERICA (FORMERLY FLEET BANK)**

**\$924.55 CONTAINED IN ACCOUNT
NUMBER 9419500814 HELD IN THE NAME
OF OR FOR THE BENEFIT OF STARS
MICRO COMPUTER., LOCATED AT BANK**

Hon. William H. Walls, U.S.D.J.

Criminal Action No. 06-007

Hon. Mary L. Cooper, U.S.D.J.

Civil Action No. 05-03595

OF AMERICA (FORMERLY FLEET BANK);

**\$8,664.76 CONTAINED IN ACCOUNT
NUMBER 4220016598 HELD IN THE NAME
OF OR BENEFIT OF CHANNEL MICRO
DISTRIBUTION, LOCATED AT BANK OF
AMERICA (FORMERLY FLEET BANK);**

**\$612,026.21 CONTAINED IN ACCOUNT
NUMBER 9420470800 HELD IN THE NAME
OF OR BENEFIT OF UNITED INFORTEK
CORP, LOCATED AT BANK OF AMERICA
(FORMERLY FLEET BANK);**

**\$295,093.63 CONTAINED IN ACCOUNT
NUMBER 063109430 HELD IN THE NAME
OF OR BENEFIT OF UNITED
INFORMATICA CORPORATION LOCATED
AT SOUTHTRUST BANK ; and**

**\$8,240.20 CONTAINED IN ACCOUNT
NUMBER 9419500515 HELD IN THE NAME
OF OR BENEFIT OF ASPECT INTERACTIVE:
CORP., LOCATED AT BANK OF AMERICA
(FORMERLY FLEET BANK)**

**\$31,473.42 CONTAINED IN ACCOUNT
NUMBER 9419871092 HELD IN THE NAME
OF OR BENEFIT OF UNITED INFORMATICA
CORP., LOCATED AT BANK OF AMERICA
(FORMERLY FLEET BANK)**

**\$332.08 CONTAINED IN ACCOUNT NUMBER
5220018966 HELD IN THE NAME OF OR
BENEFIT OF JONATHAN CHU, LOCATED
AT BANK OF AMERICA (FORMERLY
FLEET BANK)**

**\$239.65 CONTAINED IN ACCOUNT NUMBER
967701392 HELD IN THE NAME OF OR
BENEFIT OF CHANNEL MICRO
DISTRIBUTION, LOCATED AT BANK OF
AMERICA (FORMERLY FLEET BANK); and**

**\$4,172.63 CONTAINED IN ACCOUNT
NUMBER 4220025643 HELD IN THE NAME
OF OR BENEFIT OF JONATHAN CHU,**

LOCATED AT BANK OF AMERICA

(FORMERLY FLEET BANK)

Defendants-in rem.

-----X

**CONSENT JUDGMENT AND
FINAL ORDER OF FORFEITURE**

RECITALS

WHEREAS, on January 26, 2007, a jury sitting in the District Court of New Jersey found the defendants Jonathan Chu and Maggie Chen guilty of Counts 1 and 2 of a Second Superseding Indictment which charged them with conspiracy to commit money laundering, in violation of Title 18, United States Code, Section 1956(a)(1)(b)(I) and conspiracy to cause the filing of Forms 8300 containing false information in violation of Title 31, United States Code, Sections 5324(b)(2) and (d)(2); and

WHEREAS, on January 26, 2007, the defendants Jonathan Chu and Maggie Chen waived their rights to have the forfeiture allegations contained in the second superseding indictment heard and decided by the jury; and

WHEREAS, on February 20, 2007, a Consent Judgment and Preliminary Order of Forfeiture between the United States and the defendant, JONATHAN CHU, a/k/a "Chien-Ho-Chu," was entered into whereby Jonathan Chu and Maggie Chen through their respective counsel agreed and consented to the forfeiture of the following assets, for which they were both jointly and severally liable:

- A. A money judgment in the amount of \$3,400,000.00 in
United States currency; and

B. All right, title and interest the defendants have in a certain lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments, and easements, located at 19-21 Worlds Fair Drive, Somerset, New Jersey; more particularly described as Block 468.09 Lots 59, 60 and 61, in the Township of Franklin, County of Somerset, in the State of New Jersey; and

C. All right, title and interest the defendants have in a certain lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments, and easements, located at 2025 Northwest 102nd Avenue, Unit 112, Miami, Florida in International Corporate Park Condominium No. One, according to the Declaration of Condominium thereof, as recorded June 30, 1997 under Clerk's File No. 97R-289185 in Official Record Book 17694, at page 4052 of the Public Records of Miami-Dade County, Florida; and

WHEREAS, in furtherance of that agreement Jonathan Chu and Maggie Chen also agreed to and consented to the forfeiture of \$1,806,568.62 in United States currency seized in the related civil forfeiture United States v. \$1,806,568.62 in United States currency, civil case number: 05-3595 (the "Civil Forfeiture Funds"), and the United States agreed that the \$1,806,568.62 shall be credited towards the payment of the \$3,400,000.00 money judgment; and

WHEREAS, on February 3, 2006, the civil forfeiture action, United States v. \$1,806,568.62 in United States currency, civil case number: 05-3595, was stayed and administratively terminated; and

WHEREAS, on March 30, 2007, April 6, 2007 and April 13, 2007 the United States, as part of the criminal case, published in the "Home News Tribune" a notice to dispose of the properties in accordance with the law and further notifying all third parties of their right to petition the Court within thirty (30) days for a hearing to adjudicate the validity of their alleged legal interest in the properties; and

WHEREAS, on April 2, 2007, April 9, 2007 and April 16, 2007, the United States, as part of the criminal case, published in the "Miami Daily Business Review" a notice to dispose of the properties in accordance with the law and further notifying all third parties of their right to petition the Court within thirty (30) days for a hearing to adjudicate the validity of their alleged legal interest in the properties; and

WHEREAS, on or about March 21, 2007, Great Eastern Bank filed a claim in the criminal case with the District Court, through its Petition for Hearing To Adjudicate Great Eastern Bank's Interest In Real Property Subject To Preliminary Order of Forfeiture dated March 21, 2007 (the "Great Eastern Bank Claim"), alleging *inter alia*, an interest in the property located at 2025 Northwest 102nd Avenue, Unit 112, Miami, Florida in International Corporate Park Condominium No. One (the "Miami property") pursuant to, among other authorities, 21 U.S.C. §853(n)(6)(A); and

WHEREAS, on or about March 21, 2007, Chu-Wen Tseng, as Trustee of and on behalf of the Chien-Ho Chu Irrevocable Family Trust, and on behalf of Harker Associates L.P. (collectively, "the Chu Family Trust") filed a claim in the criminal case with the District Court, through its Notice of Third-Party Petition for Relief dated March 21, 2007 (the "Chu Family Trust Claim"), alleging *inter alia*, an interest in the property located at 19-21 Worlds Fair Drive, Somerset, New Jersey (the "New Jersey property") pursuant to, among other authorities, 21 U.S.C. §853(n)(6)(A); and

WHEREAS, on or about March 22, 2007, CasEdge, Inc. filed a claim with the District Court in both the civil case and the criminal case respectively, through its Claim Asserting Interest in Property and Statement of Rights and Interest By \$1,806,568.62 and its Petition for Hearing To Adjudicate Validity Of Interest In Property, both dated March 22, 2007 (collectively, the "CasEdge Claim"), alleging *inter alia*, an interest in the Civil Forfeiture Funds pursuant to, among other authorities, 21 U.S.C. §853(n)(6)(B); and

WHEREAS, on or about April 26, 2007, Chinatrust Bank (U.S.A.) filed a claim in the criminal case with the District Court, through its Petition For Ancillary Hearing dated April 26, 2007 (the "Chinatrust Bank Claim"), alleging *inter alia*, an interest in the New Jersey property pursuant to, among other authorities, 21 U.S.C. §853(n)(6)(A); and

WHEREAS, on or about May 8, 2007, PTI Innovation, LLC filed a claim in the criminal case with the District Court, through its Petition for Hearing To Adjudicate Validity Of Interest In Property dated May 4, 2007 (the "PTI Claim"), alleging *inter alia*, an interest in the Civil Forfeiture Funds; and

WHEREAS, on or about June 11, 2007, Barry Frost, Chapter 7 Trustee for Aspect Computer Corporation filed a claim with the District Court in both the civil case and the criminal case respectively, through its Claim Asserting Interest and Property and its Petition for Hearing To Adjudicate Validity of Interest In Property, both dated June 11, 2007 (collectively, the "Aspect Chapter 7 Trustee Claim"), alleging *inter alia*, an interest in the Civil Forfeiture Funds; and

WHEREAS, on or about August 8, 2007, Commerce Bank, N.A. filed a claim in the criminal case with the District Court, through its Claim of Interest dated August 1, 2007 (the "Commerce Bank Claim"), alleging *inter alia*, an interest in the Miami property pursuant to, among other authorities, 21 U.S.C. §853(n)(6)(A); and

WHEREAS, on or about January 23, 2008, Fernando Casamayor, as Tax Collector for Miami Dade County, Florida filed a claim in the criminal case with the District Court, through its

Claim For Real Property and Tangible Personal Property Taxes dated November 27, 2007 (the "Tax Collector Claim"), alleging *inter alia*, an interest in the Miami property pursuant to, among other authorities, Florida Statutes §197.122; and

WHEREAS, the Chinatrust Bank Claim has been resolved by a Stipulation and Order entered in the criminal case by the Hon. William H. Walls, U.S.D.J. on or about August 31, 2007, whereby the United States recognized Chinatrust Bank's lien on the New Jersey property as a bona fide lien holder; and

WHEREAS, the Chu Family Trust Claim has been resolved by: (1) a Settlement Agreement between the United States and the Chu Family Trust entered on or about October 11, 2007, whereby the Chu Family Trust agreed to pay the United States \$57,151.38, on or before April 23, 2008, in exchange for the United States' agreement to assign the Chu Family Trust the United States' entire interest in the New Jersey property; and (2) the entry of Stipulation of Dismissal dated November 26, 2007 between the United States and Chu Family Trust filed with the District Court in the criminal case on or about November 28, 2007; and

WHEREAS, the Great Eastern Bank Claim and the Commerce Bank Claim have been resolved by the entry of a CONSENT ORDER vacating forfeiture as to the Miami property entered in the criminal case by the Hon. William H. Walls, U.S.D.J. on December 26, 2007; and

WHEREAS, the Tax Collector Claim has been resolved by a Claim Withdrawal dated February 6, 2008 by Fernando Casamayor, as Tax Collector for Miami Dade County, Florida, and filed with the District Court in the criminal case on or about February 27, 2008.

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the respective parties, by their attorneys, as follows:

THAT, a money judgment in the criminal case, United States v. Jonathan Chu, criminal action number 06-007, in the amount of \$1,593,431.38, in United States currency is entered against the defendants Jonathan Chu and Maggie Chen, for which they both jointly and severally liable; and

THAT, the stay of the civil action, United States v. \$1,806,568.62 in United States currency, civil case number: 05-3595, is hereby vacated, and the civil action is hereby reopened; and

THAT, the forfeiture of \$1,806,568.62 in United States currency seized in the related civil forfeiture United States v. \$1,806,568.62 in United States currency, civil case number: 05-3595 shall be credited towards the payment of the \$3,400,000.00 money judgment by Jonathan Chu and Maggie Chen ; and

THAT, in the criminal case, United States v. Jonathan Chu, criminal action number 06-007, the United States shall recognize Chinatrust Bank's lien as a bona fide lien holder with respect to a certain lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments, and easements, located at 19-21 Worlds Fair Drive, Somerset, New Jersey; more particularly described as Block 468.09 Lots 59, 60 and 61, in the Township of Franklin, County of Somerset, in the State of New Jersey are hereby forfeited to the United States of America; and

THAT, in the criminal case, United States v. Jonathan Chu, criminal action number 06-007, a 3.853% interest, valued at \$57,151.38, in a certain lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments, and easements, located at 19-21 Worlds Fair Drive, Somerset, New Jersey; more particularly described as Block 468.09 Lots 59, 60 and 61, in the Township of Franklin, County of Somerset, in the State of New Jersey is hereby forfeited to the United States of America; and

THAT, Chu-Wen Tseng, as Trustee of and on behalf of the Chien-Ho Chu Irrevocable Family Trust, and on behalf of Harker Associates L.P. shall pay the United States on or before April 23, 2008, the amount of \$57,151.38, representing a 3.853% interest in a certain lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments, and

easements, located at 19-21 Worlds Fair Drive, Somerset, New Jersey; more particularly described as Block 468.09 Lots 59, 60 and 61, in the Township of Franklin, County of Somerset, in the State of New Jersey, and in exchange for said payment the United States shall assign Chu-Wen Tseng, as Trustee of and on behalf of the Chien-Ho Chu Irrevocable Family Trust, and on behalf of Harker Associates L.P., the United States' entire interest in that property; and

THAT, in the criminal case, United States v. Jonathan Chu, criminal action number 06-007, the United States reserves the right to exercise all legal remedies available, including but not limited to a Court-ordered sale of a certain lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments, and easements, located at 19-21 Worlds Fair Drive, Somerset, New Jersey; more particularly described as Block 468.09 Lots 59, 60 and 61, in the Township of Franklin, County of Somerset, in the State of New Jersey should the Chu-Wen Tseng, as Trustee of and on behalf of the Chien-Ho Chu Irrevocable Family Trust, and on behalf of Harker Associates L.P., fail to pay the United States the forfeited amount of \$57,151.38, on or before April 23, 2008, and that the District Court of New Jersey shall retain jurisdiction to effect the payment of the forfeited amount to the United States; and

THAT, Barry Frost, Chapter 7 Trustee for Aspect Computer Corporation shall receive, in full satisfaction of their claim, \$185,000.00 of the \$1,806,568.62 in United States currency seized in the related civil forfeiture United States v. \$1,806,568.62 in United States currency, civil case number: 05-3595, and the United State shall pay said amount within forty-two days after entry of a Final Order of Forfeiture in this matter; and

THAT, Barry Frost, Chapter 7 Trustee for Aspect Computer Corporation hereby withdraws and waives his right to seek any additional relief against the United States, CasEdge, Inc. or PTI Innovation, LLC, including but not limited to, a petition for remission or mitigation with the Attorney General, or any relief from the District Court or Appeals Court; and

THAT, CasEdge shall receive, in full satisfaction of their claim, \$625,551.13 of the \$1,806,568.62 in United States currency seized in the related civil forfeiture United States v. \$1,806,568.62 in United States currency, civil case number: 05-3595, plus any interest accrued thereon, made payable to CaseEdge, Inc., and the United State shall pay said amount within forty-two days after entry of a Final Order of Forfeiture in this matter; and

THAT, CasEdge hereby withdraws and waives its right to seek any additional relief against the United States, Barry Frost, Chapter 7 Trustee for Aspect Computer Corporation or PTI Innovation, LLC, including but not limited to, a petition for remission or mitigation with the Attorney General, or any relief from the District Court or Appeals Court; and

THAT, PTI Innovation LLC shall receive in full satisfaction of their claim, \$625,551.13 of the \$1,806,568.62 in United States currency seized in the related civil forfeiture United States v. \$1,806,568.62 in United States currency, civil case number: 05-3595, plus any interest accrued thereon, made payable to CasEdge's parent-Company PRODISC TECHNOLOGY INC, and the United State shall pay said amount within forty-two days after entry of a Final Order of Forfeiture in this matter; and

THAT, PTI Innovation LLC hereby withdraws and waives its right to seek any additional relief against the United States, Barry Frost, Chapter 7 Trustee for Aspect Computer Corporation or CasEdge, Inc., including but not limited to, a petition for remission or mitigation with the Attorney General, or any relief from the District Court or Appeals Court; and

THAT, the United States shall forfeit \$370,466.36 of the \$1,806,568.62 in United States currency seized in the related civil forfeiture United States v. \$1,806,568.62 in United States currency, civil case number: 05-3595, plus any interest accrued thereon.

THAT, a money judgment in the criminal case, United States v. Jonathan Chu, criminal action number 06-007, in the amount of \$1,593,431.38, in United States currency is entered against the defendants Jonathan Chu and Maggie Chen, for which they both jointly and severally liable; and

THAT, a Final Order of Forfeiture is granted against the defendant property, namely \$370,466.36 in United States currency and a 3.853% interest, valued at \$57,151.38, in a certain lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments, and easements, located at 19-21 Worlds Fair Drive, Somerset, New Jersey; more particularly described as Block 468.09 Lots 59, 60 and 61, in the Township of Franklin, County of Somerset, in the State of New Jersey are hereby forfeited to the United States of America, and no right, title or interest in the defendant property shall exist in any other party, except for those identified herein; and

THAT, any and all forfeited funds, as well as any income derived as a result of the United States Marshals Service's management of any property forfeited herein, and the proceeds from the sale of any forfeited property, after the payment of costs and expenses incurred in connection with the sale and disposition of the forfeited property shall be deposited forthwith by the Department of Justice, United States Marshals Service into the Department of Justice Asset Forfeiture Fund, in accordance with the law.

The Clerk is hereby directed to send copies to all counsel of record.

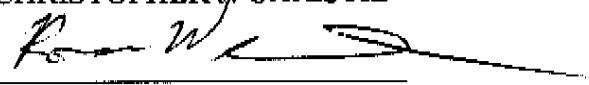
We Consent to the Contents
And Form of This Consent
Judgment and Order:



CHRISTOPHER J. CHRISTIE


PETER W. GAETA
Assistant United States Attorney

CHRISTOPHER J. CHRISTIE



RONNELL L. WILSON
Assistant United States Attorney

WILLENKEN WILSON LOH & LIEB LLP


PAUL J. LOH

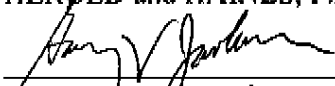
Counsel for CasEdge, Inc.

LOWENSTEIN SANBLER P.C.


BRYAN BLANEY

Counsel for CasEdge, Inc.

HEROLD and HAINES, P.A.


GARY S. JACOBSON

Counsel for PTI Innovation, LLC

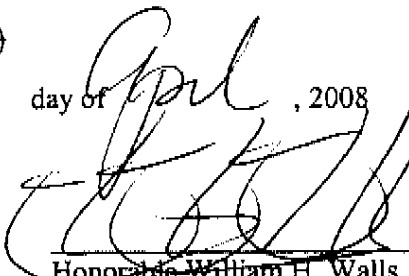
HELLRING, LINDEMAN, GOLDSTEIN & SIEGEL, LLP


PATRICIA ANNE STAIANO

Counsel for Barry Frost Chapter 7 Trustee
for Aspect Computer Corp.

It is hereby **ORDERED, ADJUDGED AND DECREED**:

SO ORDERED this 8 day of April, 2008


Honorable William H. Walls
United States District Judge

APRIL 11, 2008


Honorable Mary L. Cooper
United States District Judge